United Nations CEDAW/C/ARG/Q/7

Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
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Item 4 of the provisional agenda
Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the seventh periodic report of Argentina

Legislative and institutional framework

1. In its previous concluding observations (CEDAW/C/ARG/CO/6, para. 12), the Committee recommended that the State party should establish a mechanism to ensure the transparent, coherent and consistent implementation of the Convention throughout its territory. Please inform the Committee about the progress made towards implementing that recommendation, in particular any measures taken at the provincial and municipal levels to coordinate the implementation of legislation, public policies and programmes aimed at achieving the full and systematic application of the Convention throughout the territory of the State party. Please also inform the Committee about the main obstacles identified by the State party in respect of fulfilling its obligations under the Convention in a federal system.

2. Please provide information on the status of the discussions in Congress on the bills on the voluntary interruption of pregnancy and on establishing gender parity in electoral lists. Please provide further information on legislation and public policies aimed at combating multiple forms of discrimination against women, considering the sociodemographic composition of the population of the State party. Please report on mechanisms to enforce Act No. 26.743 on gender identity and the amendments to the Civil Code.

3. Please report on measures to implement the national plan against discrimination (Decree No. 1086/2005). Please indicate whether there is a time frame for the adoption of the plan and whether there is an agency that will lead its implementation, and provide information on its strategic priorities and the

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involvement of women's non-governmental organizations in its preparation and implementation. Please report on the development of plans on equality of opportunity at the national, provincial and municipal levels. Please provide information on any court cases in which the Convention has been invoked or directly applied or referred to in court proceedings. Please indicate how the State party is enhancing the awareness and knowledge of women about their rights under the Convention and about the communications and inquiry procedures under the Optional Protocol.

Access to justice

4. Please provide information on the measures taken to create the conditions necessary for women to have access to justice and to enhance, in the relevant languages, women's legal literacy and awareness of and capacity to claim their rights. Please provide information about legal aid in all areas of law and the judicial remedies available to women, including women in rural areas and indigenous women; please also provide information on accessible formats for women with disabilities. Please provide information on the design and implementation of training programmes for law enforcement officials at the national, provincial and municipal levels on all aspects of women's access to justice, in accordance with the Committee's general recommendation No. 33 (2015) on women's access to justice.

5. In its seventh periodic report, the State party reports on the justice processes for crimes against humanity and highlights the progress made in terms of the investigation and prosecution of crimes against sexual freedom (CEDAW/C/ARG/7, para. 58).[1] Please provide information on the measures to provide redress for crimes committed against women during the military dictatorship, in particular decisions issued by the courts to ensure appropriate and comprehensive reparations and compensation for victims.

Women and peace and security

6. In paragraph 70 of the report, the State party refers to the process for approval of a national plan of action for the implementation of Security Council Resolution 1325 (2000). Please provide updated information on the status of the plan, including whether it has been adopted by the Government, its goals and the extent and nature of the involvement by women in its preparation. In the light of the Committee's general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, please provide information on the existence of mechanisms to assess the impact on women's rights of the deployment of State party national officials in conflict areas.

National machinery for the advancement of women

7. Please provide information on the status of the National Women's Council and measures taken to strengthen its role at the national, provincial and municipal levels. Please provide specific information on the human resources and budgetary allocation required to strengthen the national machinery at all levels and on the coordination mechanisms to accomplish its mandate. Please indicate to what extent

[1] Unless otherwise indicated, paragraph numbers refer to the seventh periodic report of Argentina.

women and their organizations have participated in the implementation of the strategies and programmes of the Council.

Stereotypes and harmful practices

8. Please report on measures taken to combat discriminatory practices and traditional stereotypes that impede the full enjoyment by women of their human rights in the social, economic and political spheres and in family relations. Please also provide information on measures and mechanisms to identify and eliminate traditional attitudes, customs and harmful practices that discriminate against indigenous, aboriginal and Afro-descendent women.

Violence against women

9. Please provide updated information on the enforcement of Act No. 26.485 on the prevention of violence against women by all provinces in the State party and on the progress made in implementing the national plan of action envisaged under the Act (para. 36). Please provide information on strategies aimed at preventing all forms of violence against women and on shelters, counselling, rehabilitation and support services for women who are at risk of violence, in line with the Committee's general recommendation No. 19 (1992) on violence against women. In paragraph 42 of the report, the State party refers to a cooperation agreement between the National Women's Council and the National Institute of Statistics and Censuses to create a unified registry of cases of violence against women. Please provide information on the current status of the unified system, as well as information and data, disaggregated by region, on the prevalence of femicide and other forms of violence against women in private and public settings. Please report on the results of prosecutions and convictions of perpetrators of gender-based violence. Please provide information on protocols to address violence against girls, boys and adolescents, combat corporal punishment and ensure redress in cases of violence, in particular against girls.

10. Please provide data disaggregated by age and ethnicity, as well as data on the geographical location of shelters for women who are victims of violence. Please describe the measures that have been adopted to ensure that women with disabilities have access to temporary shelters. Please inform the Committee about measures taken to provide counselling and psychological redress for all women who are victims of violence. Please report on the scope of the mediation in criminal procedures and its impact on women who have been victims of any form of violence. Please also provide information on the incidence of hate crimes against lesbians and bisexual and transgender women, prevention mechanisms and data on reported cases, prosecutions and convictions of perpetrators of such crimes.

Trafficking in women and exploitation of prostitution

11. The State party mentions a national programme to combat human trafficking and exploitation and protect and assist the victims thereof (para. 48). Please provide information on its current implementation, goals and monitoring indicators both at the national and provincial levels. Please inform the Committee about the mechanisms aimed at preventing trafficking in women, including joint strategies with countries of origin, in particular countries sharing its borders. Please also provide information on the investigation, prosecution and punishment of trafficking

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offenders and indicate whether there are policies to provide assistance and legal support to women and girls who are victims of trafficking, including women who are exploited in forced prostitution. Please provide information on the number of women who are victims of exploitation of prostitution and the measures taken to discourage the demand for prostitution.

Participation in political and public life

12. Please provide updated information on women in the executive branch and measures taken to ensure parity in the composition of the Cabinet. Please also update the Committee on the current representation of women in the judicial and legislative branches. Please indicate the specific measures that have been taken with respect to women candidates seeking election to public bodies, including support for campaign funding, the provision of technical advice, specific training on public policies and governance and increased visibility. Please report on measures taken to prevent harassment and violence against women in political parties.

13. Please indicate any measures adopted or envisaged by the Government, including through the adoption of temporary special measures in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, to increase the presence of women in the executive branch and in managerial positions, as well as in the judiciary, including the Supreme Court of Justice, the appeal chambers at the provincial level and the lower courts. Please provide information on the current processes for appointment to such positions and any measures taken to ensure that women can compete on an equal basis with men for positions in public office.

Education

14. Please provide data disaggregated by sex on enrolment, attendance and dropout rates at all levels of education, including vocational education, especially in rural areas, as well as among indigenous, Afro-descendent and migrant communities. Please report on women with disabilities in the mainstream education system, at all levels of education. Please provide information on measures taken to ensure access to education by indigenous Afro-descendent and rural women. Please provide information on strategies carried out by the State party to mainstream gender in curricula and to ensure that teaching methodologies address gender stereotypes and promote equality between women and men. Please provide information on temporary special measures to promote and facilitate the enrolment of women in university programmes, in particular in areas such as engineering and technology.

Employment

15. The State party acknowledges that women continue to face vertical and horizontal segregation in employment (para. 84). Please provide information on the strategies to ensure equal access by women to employment opportunities, in particular to the formal labour market, and measures taken to overcome the gap in average income between women and men. In paragraph 87, it is indicated that, historically, domestic work and care activities have been associated with women; it is also indicated that the State party adopted Act No. 26.844 on the rights of women domestic workers in 2013. Please provide information on measures taken to

recognize and protect women in care work, including plans to ensure social security protection, and on measures taken to monitor the implementation of the duties of employers in the area of domestic work. Please report on measures taken to ensure that all women benefit from paid maternity leave. Please provide information on girls who are victims of child labour, in particular migrant girls engaged in domestic work. Please report on measures taken to promote the rights of lesbian, bisexual and transgender women in the employment domain.

Health

16. Please provide information on the implementation of hospital protocols for non-punishable abortion. Please inform the Committee whether the State party has imposed sentences on women for abortion. Please also report on awareness-raising programmes to reduce early pregnancies among girls through education campaigns, in particular by providing age-appropriate sexual and reproductive health and rights education in schools at all levels. Please report on measures taken to ensure access to sexual and reproductive health-care services by disadvantaged groups of women, such as women with disabilities, rural, migrant, indigenous and Afro-descendent women and other women facing intersecting forms of discrimination. Please provide information on access to health care by women living with HIV/AIDS and on measures taken to prevent discrimination in access to sexual and reproductive health-care services and to eliminate mother-to-child transmission.

Rural women

17. Please provide information on measures taken to improve participation by rural women in decision-making processes at the local level, in particular within rural organizations. Please report on policy measures and programmes, as well as budgets allocated for rural women, and on measures taken to facilitate their access to banking services. Please report on measures adopted by the State party to increase women's access to and ownership of land and resources. Please provide information on rural women who are beneficiaries of labour contracts and measures taken to monitor the implementation of the adjustable minimum living wage in rural areas. In paragraph 89, the State party refers to the adoption of Act No. 26.727 on rural labourers, which provides for new standards for hiring rural workers. Please provide information on measures taken to ensure equality of women and men in the enforcement of the Act and to ensure that the rights of rural women are appropriately protected. Please also inform the Committee about monitoring mechanisms to assess progress made in the implementation of the Act.

Disadvantaged groups of women

18. Please provide information on strategies and programmes to eliminate discrimination against indigenous and Afro-descendent women and to combat situations of poverty among such women. Please also inform the Committee of how national public policies in various fields address the specific needs of indigenous and Afro-descendent girls and women. Please provide information on the protection of the rights of indigenous women in connection with the implementation of new megaprojects and development and foreign investment projects.

19. Considering the Committee's general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of

women, please report on measures taken to ensure the inclusion in society of migrant and refugee women, in particular in economic life. Please also provide information, including statistics, on migrant, asylum-seeking and refugee women accessing social security in the State party and on the measures taken to ensure proper social assistance for such women.

20. Please provide information on the situation of women in detention, in particular the implementation of the provisions adopted in Act No. 26.472 providing for home detention for pregnant women and/or mothers looking after children under 5 years of age. Please provide data and statistics on women sentenced to home detention.

Marriage and family relations

21. Please provide information on the provisions relating to ownership and management of property upon dissolution of marriage in the existing legislation. Please report on the safeguards to protect girls against child marriage, in particular in the context of the provisions of the Civil and Commercial Code, which authorizes marriage under 18 years of age. Please indicate the measures that have been taken to ensure equality of women and men in parental responsibilities.